

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:21-cr-00024-APG-DJA

Plaintiff

**Order (1) Accepting Report and
Recommendation and (2) Granting in Part
Defendant's Motion to Suppress**

v.

VICTOR RAMONE WRIGHT,

[ECF Nos. 55, 86]

Defendant

On August 15, 2023, Magistrate Judge Albregts recommended that I grant in part and deny in part defendant Victor Wright's motion to suppress. Judge Albregts recommended that I deny the motion to suppress evidence of a firearm and ammunition found in a car Wright was riding in, as well as DNA obtained as a result of a search of the car and Wright's person. ECF No. 86 at 1. But Judge Albregts recommended that I suppress statements Wright made to law enforcement officers before he was given Miranda warnings. *Id.* at 1-2. The deadline to object to Judge Albregts' report and recommendation expired on September 12, 2023. ECF No. 90. No party objected. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation (ECF No. 86) is accepted.

1 I FURTHER ORDER that defendant Victor Wright's motion to suppress (ECF No. 55) is
2 GRANTED in part. The motion is granted regarding Wright's request to suppress his statements
3 made before officers informed him of his *Miranda* rights. The motion is denied regarding
4 Wright's request that the DNA, ammunition, and firearm be suppressed.

5 DATED this 18th day of September, 2023.

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8 ANDREW P. GORDON
9 UNITED STATES DISTRICT JUDGE
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